

June 10, 2013

Derry Borough Council met in regular session Monday, June 10, 2013 at 7:00 P.M. in the Derry Station Community Room, 200 West Second Avenue, Derry, PA with the following members present: Kristine Melville, presiding, Nelie Smith, Jim Struble, Allen Skopp, Chad Fabian, Jim Ritenour, and Joseph Morton. Mayor Dave Bolen was absent. Solicitor Lee Demosky was present. Reporter from Tribune Review was reporting.

MOTION by Allen Skopp to approve the minutes for the regular council meeting of May 13, 2013. Motion **SECONDED** by Chad Fabian. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION by Chad Fabian to approve the minutes for the special council meeting of May 24, 2013. Motion **SECONDED** by Nelie Smith. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION by Allen Skopp to approve the treasurer’s report for May 31, 2013 with a General Fund Balance Sheet totaling \$269,265.25. Motion **SECONDED** by Joe Morton. All members present voiced “aye” in favor of the motion. Motion passed.

Council went into executive session at 8:08pm on Monday, June 3, 2013 work session for personnel reasons and legal discussion. The executive session ended at 8:43p.m.

RECOGNITION OF VISITORS

1. Melodie Rogowski– 305 High Street – Still having issues with Waste Management and billing. She knows of two older individuals of whom are being double billed and have received collection notices which could affect their credit. Allen Skopp’s brother is having the same the same issues. Jim Struble is also having billing issues as well. Lee Demosky will need to review the contract to know the Borough’s options. A special meeting will be scheduled for Monday, July 1, 2013 at 6:00pm for the public to discuss these issues. Jim Ritenour is concerned that there are individuals who are paying their bills out of intimidation and concern for their credit and they are being overcharged according to the contract. Lee Demosky suggested a form be provided at the meeting for the residents names, addresses, and telephone numbers of all who attend with issues or concerns.
2. Dave Fletcher – 410 S. Chestnut St. – Recreation Board
3. Loretta Campbell – 212 W. 3rd St. Derry – Wondering if house will be taken with new bridge project.
4. Greg Reinbold- Reporter Tribune Review
5. Allen Skopp – Mr. Skopp, President of the Board of the Municipal Authority of the Borough of Derry is upset about an inquiry by Kristine Melville with Westmoreland Water Authority. The inquiry being the possibility of selling our water authority to them without all members of council’s awareness of such a request. Kristine Melville replied that there was only an informational meeting with herself, Joe Morton, and the Westmoreland Water Authority.

SOLICITOR’S REPORT

Lee Demosky had nothing to report for the public meeting.

June 10, 2013

MAYOR'S REPORT

Mayor Dave Bolen submitted the Mayor's report for May 2013 with receipts of \$2,430.41 which included traffic receipts of \$ 813.29 and non-traffic receipts of \$590.25. There were 123 complaint calls, 21 traffic citations, and 3 non-traffic citations with no parking tickets.

ZONING OFFICER'S REPORT

BIU reported four (4) permits provided for two fences, deck, and a car port. The report reflected 16 violation notices, one UCC permit for a porch, and one appeal for the Zoning Hearing Board.

COMMITTEE REPORTS

Chad Fabian – Public Works

- PUC Field Investigation and Conference will be held at the overhead bridge crossing, Wednesday, June 26, 2013 at 10:00 a.m. to discuss the Department of Transportation's application – Council members and the Mayor's presence is requested.
 - Possible Fire Hydrant Damage and some Water Authority Valve Boxes were broken during paving project, which are under review with Gibson Thomas. A punch list will be created as necessary.
 - Gibson Thomas will prepare study for approximately \$500 at Edith, 3rd, and Braden (Motion)
 - Gibson Thomas to survey alley between Utopia and Mentor, and Second Ave. and Third Ave. (Motion)
- MOTION** by Chad Fabian for Gibson Thomas to provide services for both the survey on the alley and the study for a stop sign at the intersection of Utopia, Mentor, and Second Avenue. Motion **SECONDED** by Allen Skopp. All members present voiced "aye" in favor of the motion. Motion passed.

Jim Ritenour – Police Department

Mr. Ritenour wanted to commend the police department on their response to an incident in the downtown area last week in Derry Borough. He also thanked the other municipalities who assisted our department with the incident.

REPRESENTATIVE REPORTS

PLANNING COMMISSION

Nothing to report at this time

COMMUNICATIONS

- Household Hazardous Waste Collection, October 5, 2013 from 9am-2pm WCCC
- Thank you to the girls from the Colony Home at Adelphoi for their landscaping work around the 2nd Ward playground.
- Saturday, June 22, 2013 at 1:00pm - Caldwell Library Celebration of 20 years
- Thank you from the McCreary's for flowers of sympathy.

June 10, 2013

- Fishing Day at Ethel Lake hosted by DARCEE to be held on Saturday, June 22, 2013 from 6am-2pm
- Westmoreland Arts & Heritage Festival Directors are inviting Derry Council and Mayor to attend their opening ceremony scheduled for Thursday, July 4, 2013 at 11a.m. reading the names of the public officials attending the ceremony. Please RSVP by Friday, June 28, 2013 calling 724-834-7474.
- Derry Township Supervisors Recreation Department is requesting the use of the Derry Community Park on June 24, 2013, July 24, 2013, and August 12, 2013 for Kickball Tournaments and a Mini Olympics at a reduced fee. Letter of correspondence was received. **MOTION** by Allen Skopp to approve Derry Township's use of the Derry Community Park and waive any fees for the dates requested. Motion **SECONDED** by Jim Struble. All members present voiced "aye" in favor of the motion. Motion passed.
 - The secretary reminded council that the NIMS program is available on line and all elected officials are required to have at least two of classes of the five available. A sheet was given to each councilmember providing information.
 - A \$500 grant was received by Penn Prime towards the purchase of safety vests for the police department.

Council went into executive session at 7:44p.m for potential YMCA litigation, possible litigation regarding the Bilby property, and Prew property violations. Executive session ended at 8:28pm.

UNFINISHED BUSINESS

1. Sidewalk Maintenance Agreement, Lighting, and Drainage Agreement– Reconstructed Rt. 217 Bridge – Tabled A meeting with Sean Sepe is to be scheduled upcoming for the new councilmembers. Chad Fabian requested a copy of the old agreement for council to review in preparation of the meeting.
2. Police Chief Contract – Solicitor met with Attorney Bernie Matthews has prepared a letter to the Pennsylvania Labor Relations Board requesting an update on the process.
3. Appoint Board and Commission terms expiring in the Borough:
 - a. One (1) Vacancy fulfilling a Term expiring December 31, 2016 on the Zoning Hearing Board.
 - b. One (1) Alternate Vacancy for the Zoning Hearing Board
 - c. Two (2) Civil Service Commission Vacancies one expiring December 31, 2016 and one (6) year term expiring December 31, 2018.

No letters of interest were received.

June 10, 2013

4. Mutual Aid Agreement with City of Latrobe /Unity Township – Lee Demosky supplied council a copy of the agreement. Tabled for further council review.
5. Recreation Board (Ordinance) - Tabled
6. Community Pool – Kristine had nothing to report. Nelie Smith stated we need to have an operator with an operator’s license for the pool chemicals. Ms. Melville stated her understanding that Lou Schmitt is considered our operator for chemical usage with a license. Kristine Melville state she would look into it further to confirm that we are in compliance.
7. Appeals board for UCC and Occupancy – Solicitor was in contact with the COG Secretary and has requested an agreement for Derry Borough’s use of their appeals board if needed. We will need to address at next month’s meeting.
8. Rental Occupancy Permit Ordinance and Occupancy Fees – Needs further discussion and more review by council. Lee Demosky recommended that at the next work session he is included by phone to discuss further regarding specifics of such ordinance and determine a fee schedule.
9. **MOTION** by Chad Fabian to have Gibson Thomas review and prepare plans for a sidewalk project for Derry Borough in the business district and surrounding areas to submit for a CDBG grant. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

NEW BUSINESS

1. Storage for Public Works – The public works department is to review and determine the amount of space needed(Grant for Flowers House) Remove from agenda temporarily until we receive communication that the grant is awarded.
2. **MOTION** by Chad Fabian to approve adding 150ft to Park Street on the 2013 paving project due to miscalculation. Motion **SECONDED** by Nelie Smith. All members present voiced “aye” in favor of the motion. Motion passed.
3. **MOTION** by Chad Fabian to approve Kristine Melville as manager for the Derry Community Pool. Motion **SECONDED** by Joe Morton. Six members present voiced “aye” in favor of the motion. Motion passed. Kristine Melville abstained from the vote.
4. **MOTION** by Joe Morton to approve submission of a letter of support for application of a grant through DCED for Watershed Restoration and Protection. Motion **SECONDED** by Chad Fabian. All members present voiced “aye” in favor of the motion. Motion passed.

June 10, 2013

5. **MOTION** by Allen Skopp to pay off the loan for the Derry Community Pool. Motion **SECONDED** by Nelie Smith. Six members present voiced “aye” in favor of the motion. Motion passed. Kristine Melville abstained.

6. Ordinance regarding replacement paving for utility companies for curb to curb paving is to be removed from agenda until further discussion takes place.

PAYMENT OF BILLS

MOTION made by Allen Skopp to pay the bills of \$47,025.85, and all outstanding legitimate bills through the end of the month of May. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

ADJOURNMENT

MOTION by Allen Skopp to adjourn the meeting at 8:44pm. Motion **SECONDED** by Chad Fabian. All members present voiced “aye” in favor of the motion. Motion passed.

Respectfully submitted,

Lori L. Latta
Secretary